

DOCKET NO.: 268034US0PCT



JC02

Rec'd PCT/PTC 24 MAY 2005

PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Horst BAUER, et al.

SERIAL NUMBER: 10/529,203

FILED: March 25, 2005

FOR: ADMINISTRATION FORM FOR PHARMACEUTICALLY ACTIVE PEPTIDES  
WITH SUSTAINED RELEASE OF ACTIVE INGREDIENTS, AND METHOD FOR THE  
PRODUCTION THEREOF

#4

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371**

COMMISSIONER FOR PATENTS

Alexandria, VA 22313

SIR:

Responsive to the notification dated April 26, 2005, and in accordance with the provisions of 35 U.S.C. 371, Applicants advise that a Declaration of Inventorship was filed in the International application under Rule 4.17(iv). A copy of the executed declaration under Rule 4.17(iv) is attached as well as a copy of the front page of the corresponding PCT publication evidencing such submission.

The required surcharge is therefore not due.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Our check in the amount of \$-0.00- is attached hereto. If any variance exists between the amount enclosed and the required Government fee, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136 and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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## UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIPT/PCT/PTO 24 MAY 2005

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/529,203	Horst Bauer	268034US0PST
INTERNATIONAL APPLICATION NO.		
PCT/EP03/10732		
I.A. FILING DATE	PRIORITY DATE	
09/26/2003	09/27/2002	

22850  
 OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.  
 1940 DUKE STREET  
 ALEXANDRIA, VA 22314

**CONFIRMATION NO. 4774**  
**371 FORMALITIES LETTER**



\*OC000000015854263\*

ET  
Date Mailed: 04/26/2005**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/25/2005
- English Translation of the IA filed on 03/25/2005
- Copy of the International Search Report filed on 03/25/2005
- Preliminary Amendments filed on 03/25/2005
- Request for Immediate Examination filed on 03/25/2005
- U.S. Basic National Fees filed on 03/25/2005
- Priority Documents filed on 03/25/2005
- Power of Attorney filed on 04/19/2005

RECEIVED: 4/28/05

OBLON, SPIVAK, McCLELLAND  
MAIER & NEUSTADT, P.C.

DOCKETING DEPT.

Initials/Date Docketed: PP 4/28/05  
 Type of Resp(s): Resp to notice Surcharge  
 Due Date(s): 6-26-05

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE**

**DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,  
WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

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Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/529,203	PCT/EP03/10732	268034USOPST

FORM PCT/DO/EO/905 (371 Formalities Notice)